

Message Text

CONFIDENTIAL

PAGE 01 TANANA 00059 170647Z

14

ACTION AF-18

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-03 SSO-00 RSC-01

DRC-01 /031 W

----- 127653

O 161230Z JAN 74

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC IMMEDIATE 5929

C O N F I D E N T I A L TANANARIVE 0059

E.O. 11652: GDS

TAGS: CASC, MA

SUBJECT: POSSIBLE STRATEGY IN REPPAS CASE

REFS: A. TANANARIVE 0057

B. TANANARIVE 0039

C. TANANARIVE 0028

D. TANANARIVE 1738

1. PRIOR TO DISCUSSING SCHEDULE FOR APPEAL PROCEEDINGS WITH REPPAS' ATTORNEY LEBEL (LAST SENTENCE, PARA 2, REFTEL C), EMBASSY WOULD LIKE TO BE IN POSITION ALSO TO TAKE UP ADVISABILITY OF DEMARCHE (REFTEL B) WITH HIM FIRST AND THEN REPPAS. IF APPEAL PROCEEDINGS ARE IN FACT SCHEDULED TO START JANUARY 25, AS REPORTED BY RAVONY, TIME IS RUNNING VERY SHORT. OFTEN DIFFICULT FOR US TO GET HOLD OF ATTORNEY ON SHORT NOTICE, AND CONSULAR OFFICER WILL HAVE ONLY ONE MORE CHANCE, ON JANUARY 22, TO VISIT REPPAS IN PRISON PRIOR TO JANUARY 25. ACTION REQUEST: PLEASE REPLY REFTELS B AND C BY EMBASSY BY OB JANUARY 18 (180430Z JAN 74).

2. IF DEPT DECIDES WE HAVE GROUNDS FOR MAKING DEMARCHE AND LEBEL AGREES SUCH DEMARCHE WOULD BE WORTHWHILE FROM BOTH LEGAL AND TACTICAL POINT OF VIEW, EMBASSY WOULD THEN CHECK WITH

REPPAS TO BE SURE HE HAS NO OBJECTION. AT THIS POINT AND IN VIEW JUDICIARY'S JEALOUSY OF ITS INDEPENDENCE, REITERATED AGAIN JANUARY 15 DURING SUPREME COURT OPENING SESSION
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 TANANA 00059 170647Z

CEREMONIES, WE BELIEVE BEST MOVE WOULD BE FOR AMBASSADOR TO MAKE

ORAL DEMARCHE ON BASIS DEPT'S INSTRUCTIONS TO MINISTER OF JUSTICE ANDRIANADA. (HE HAS ON WHOLE BEEN VERY COOPERATIVE CONCERNING EMBASSY'S CONCERNS FOR REPPAS' WELFARE.) WE BELIEVE STRAIGHT DIP NOTE DELIVERED TO AND DISCUSSED WITH FOREIGN MINISTRY MIGHT POSSIBLE GET JUDICIARY'S BACK UP AND PROVE COUNTERPRODUCTIVE. BY NOT USING DIP NOTE IN FIRST INSTANCE, WE WOULD ALSO BE SAVING FORMALITY OF WRITTEN DEMARCHE FOR EVENTUAL APPEAL FOR EXECUTIVE CLEMENCY. HOWEVER, IF MINISTER OF JUSTICE REQUESTS FORMAL DEMARCHE IN WRITING, WE WOULD BE PREPARED TO SEND DIP NOTE.

3. EMBASSY PLANS ALSO TO DISCUSS WITH LEBEL WHETHER DEFAMATION AND/OR CONSPIRACY TO DEFAME STATE ARE ON BOOKS AS BEING ILLEGAL EITHER SPECIFICALLY IN MADAGASCAR OR UNDER FRENCH CODE. BEGIN FYI: US MENTIONED REFTEL D PARA 1(B), EMBASSY HAS GOOD REASON TO BELIEVE, BUT HAS NO WRITTEN PROOF, REPPAS DID IN FACT INSTIGATE LETTER WRITING AND PRESS CAMPAIGN WITH INTENTION TO DENIGRATE MALAGASY JUSTICE AND BUSINESS CLIMATE IN HOPES OF FORCING RELEASE. HOWEVER, WE HAVE NO IDEA WHETHER GOMR HOLDS SUCH PROOF, E.G. COPIAS OF REPPAS' CORRESPONDENCE TO FRIENDS AND RELATIVES IN U.S. IT WOULD SEEM THAT SUCH EVIDENCE, IF IT EXISTS UNDER GOMR CONTROL, WOULD HAVE BEEN INTRODUCED DURING FIRST TRIAL. TO BEST OUR KNOWLEDGE, IT WAS NOT. EMBASSY'S DEMARCHE MIGHT AT LEAST PUT PROSECUTION IN POSITION OF HAVING TO PRODUCE PERTINENT EVIDENCE OF CONSPIRACY. ALL THIS WOULD BE DISCUSSED, HOWEVER, WITH LEBEL PRIOR TO MAKING ANY DEMARCHE, ORAL OR WRITTEN. END FYI.

4. EMBASSY ALSO PLANS TAKE UP WITH MINISTER JUSTICE COMPETENCE OF COURT INTERPRETER (REFTEL A, PARA 1; REFTEL D, PARA 1(C)) UNLESS DISCUSSION WITH LEBEL BRINGS OUT REASON TO VONTRARY.

MENDENHALL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974TANANA00059
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: TANANARIVE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740137/aaaabiog.tel
Line Count: 94
Locator: TEXT ON-LINE
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A. TANANARIVE 0057
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 03 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 SEP 2002 by boyleja>; APPROVED <10 DEC 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: POSSIBLE STRATEGY IN REPPAS CASE
TAGS: CASC, MA, (REPPAS)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005